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January 29, 2013

Hon. Kevin J. McNulty  
United States District Court  
District of New Jersey  
Martin Luther King, Jr. Courthouse  
And Federal Office Building  
50 Walnut Street  
Newark, NJ 07101

**Filed Electronically**

[SENT VIA FACSIMILE TRANSMISSION 973.645.4522]

**Re: United States v. Felix Roque, et. al Crim. No. 2:12-cr-540 (KM)**

Dear Judge McNulty:

I represent Felix Roque, who is a defendant in the above referenced case. Please accept this letter, in lieu of a motion, as my client's request to enlarge the time for filing pretrial motions on his behalf. Prior to this submission, I discussed this request with government counsel AUSA Barbara Llanes, and with counsel for co-defendant Joseph Roque, John Azzarello. I can advise that neither indicated objection, and indeed each expressed consent.

As your Honor may already be aware, this case arises from a three count Indictment that charges conspiracy in violation of 18 U.S.C. § 371, unauthorized access to computers in violation of 18 U.S.C. §§ 1030(a)(2)(C) and 1030(c)(2)(B)(ii), and damage to computers in violation of 18 U.S.C. §§ 1030(a)(5)(A) and 1030(c)(4)(G)(i). The case involves complex and novel legal issues, and – per the Government's theory – the potential for substantial penalties if the defendants are convicted.

The government has been dutiful in its efforts to fulfill its obligations to provide discovery, but for a myriad of reasons the actual access to that material was delayed, (e.g. some of the computer discs which contained discovery that were provided could not be read, and had to be replaced by the government; other discovery also produced via computer disks, could not be reviewed by the defendants without incurring substantial financial cost to obtain necessary

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software had to be reproduced by the Government). Counsel have been diligent in their efforts properly to represent the interests of their clients, but additional time to continue that work is required. Accordingly, and to allow necessary time for counsel to review the government's discovery production and prepare pretrial motions, I am requesting that the schedule be extended by four weeks, namely: Defendants' briefs filed on March 1, 2013; Government's response filed on March 15, 2013; Defendants' reply filed on March 22, 2013 and motions oral argument/return date of March 27, 2013. As noted above, I have discussed this request and the specific proposed revised dates with AUSA Llanes and Co-defendant's counsel John Azzarello. Each has expressed consent to this application, and AUSA Llanes advised that she would amend the existing Court's Order to include the revised dates for counsels' signatures and, if accepted, entry by the Court.

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Respectfully Submitted,

*Bryan Blaney*  
**BRYAN BLANEY Esq. LLC**

*Bryan Blaney*  
**Bryan Blaney**  
BRYAN BLANEY

Cc: Felix Roque  
AUSA Barbara Llanes (by electronic mail)  
John Azzarello, Esq. (by electronic mail)

SO ORDERED

*Kevin McNulty*  
Kevin McNulty, U.S.D.J.

Date: Jan. 29, 2013